

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

Schoner, et al.

Serial No.: 10/462,955

Filed: June 17, 2003

For: Data Rate Management
System and Method for A/V Decoder

Group Art Unit: 2622

Examiner: Natnael, Paulos M

Confirmation No. 8720

Electronically Filed

March 8, 2007

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir :

The Applicant respectfully requests that the following Comments on the reasons for allowance be added to the file.

REMARKS

Claims 1-2, 4-29 and 31-33 are allowed. The Applicant appreciates the Examiner's allowance of these claims and respectfully submits the following Comments on the Statement of Reasons for Allowance:

The Applicant respectfully submits that the Reasons for Allowance may potentially import interpretations into the claims in relation to the prior art that are unnecessarily limited and may place unwarranted interpretations upon the claims.

Such a characterization of the claims in view of the prior art may not properly take into account the Applicant's claimed invention as reflected in the claims, the specification and the prosecution history of the present application. Applicant believes that the claims, the specification, and the prosecution history in their entirety provide an adequate basis for the allowability of the claims.

Additionally, specific parts of the Examiner's reasons for allowance may pertain to limitations appearing in some of the claims, but not others of the claims. The Applicant respectfully submits that the Examiner has thoroughly examined the claims, recognized the limitations appearing or not appearing in each of the claims, and properly found the claims to be allowable based on the record. Although Assignee respectfully agrees with the Examiner's conclusions that the present claims are allowable over the prior art, Assignee does not adopt Examiner's findings with regards to the teachings of the prior art.

CONCLUSION

If the Examiner has any questions, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Dated: March 8, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mirut P. Dalal', is written above a horizontal line.

Mirut P. Dalal, Esq.
Registration No. 44,052

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street
34th Floor
Chicago, IL 60661
Telephone: (312) 775-8000
Facsimile: (312) 775-8100